

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

NATIONWIDE GENERAL INSURANCE)
COMPANY,)
)
Plaintiff,)
)
v.)
)
HECTOR MONTALVO MARTINEZ,)
)
Defendant.)
_____)

Civil Action No. 1:22-cv-1428 (AJT/JFA)

ORDER

This matter is before the Court on the Proposed Findings of Fact and Recommendations, [Doc. No. 22], of Magistrate Judge Anderson recommending that default judgment be entered in favor of Plaintiff, Nationwide General Insurance Company, and against Defendant, Hector Montalvo Martinez, and that an order be issued declaring Plaintiff does not owe insurance coverage to, or for claims arising, either directly or indirectly, from the death of Fausto Ruiz Romero and declaring Plaintiff has no obligation to provide insurance coverage or benefits to, or for, Defendant or to pay any judgments or claims arising, either directly or indirectly, out of the death of Romero. *Id.* at 16. The Magistrate Judge also advised the parties that objections to the Report and Recommendation must be filed within fourteen (14) days of service and that failure to object waives appellate review. *Id.* at 9. The Proposed Findings of Fact and Recommendations was filed on March 24, 2023, and no objections have been filed. The Court has conducted a *de novo* review of the evidence in this case and adopts and incorporates the findings and recommendations of the Magistrate Judge in their entirety. Accordingly, it is hereby

ORDERED that the Magistrate Judge's Report and Recommendation, [Doc. No. 22], be, and the same hereby is, **ADOPTED**; and it is further

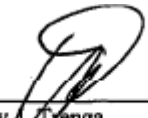
ORDERED that Plaintiff's Motion for Default Judgment, [Doc. No. 15], be, and the same hereby is, **GRANTED IN PART** as to Hector Montalvo Martinez; and it is further

ORDERED that default judgment be, and the same hereby is, **ENTERED** against Defendant Hector Montalvo Martinez and in favor of Plaintiff Nationwide General Insurance Company; and it is further

ORDERED and **DECLARED** that (1) Defendant Hector Montalvo Martinez is not an "insured" under Nationwide Homeowner Policy 53 45 HO 923415 (the "Policy"), issued on on January 22, 2016; (2) Plaintiff Nationwide General Insurance Company does not owe insurance coverage under the Policy to Martinez or for claims arising, either directly or indirectly, from the death of Fausto Ruiz Romero; and (3) Plaintiff has no obligation to provide insurance coverage or benefits to, or for, Defendant or to pay any judgments or claims arising, either directly or indirectly, out of the death of Romero.

The Clerk is directed to forward copies of this Order to all counsel of record and *pro se* Defendant Hector Montalvo Martinez.

Alexandria, Virginia
April 10, 2023



Anthony J. Trenga
Senior U.S. District Judge